

REMARKS

Entry of the above amendment and reconsideration of this application are respectfully requested. Upon entry of the amendments this application will contain claims 11-21 and 32-44 pending and under consideration. It is believed that the amendments and following remarks address all outstanding rejections. Accordingly, allowance is solicited.

Claims 16, 37, 39, 40 and 41-44 stand rejected under 35 USC § 112, second paragraph, for indefiniteness. As to claims 16, 37, 39 and 40, this rejection is based upon the position that the claims contain an "impositive structure element". The rejection does not explain what an impositive structure element is, or otherwise attempt to explain why one skilled in the art wouldn't be able to understand the language of the claims. The language is simple. It simply requires the presence of a precursor material from a selected group of materials received in the supply vessel. It is noted that the considerations here are different than those concerning whether the recited materials are to receive any weight when assessing the patentability of the claim under 35 U.S.C. § 103. The relevant question for indefiniteness is whether one skilled in the art would understand the metes and bounds of the language. It is respectfully submitted that there is no real issue on this point, and thus withdrawal of the rejection is solicited.

Concerning claims 40 and 41, this rejection was made on the basis that the prior language which simply recited "a precursor material" left it indefinite whether the material is the same as that recited earlier. In response, in both claims 40 and 41, "a precursor material" has been changed to "the precursor material".

For the foregoing reasons, reconsideration and withdrawal of the rejections under 35 USC § 112 are solicited.

Claims 11-21 and 32-34, and 37-44 stand rejected under 35 USC § 103(a) as being unpatentable over Moisan et al. in view of Mutterer, Jr. et al. and Warmbier et al. or Lautenschlager et al. This rejection is respectfully traversed.

As a basis for this rejection, in general, the Action combines sensor and feedback control features as taught in the secondary references into the system of the Moisan reference. The Action then states that:

As to the provision of a supply vessel as now claimed in the claims, the subject matter as a whole would have been obvious to one having ordinary skill in the art at the time the invention was made to have modified the references' teachings because "the use of conventional materials to perform their known functions in a conventional process is obvious.

It is respectfully submitted, however, that this analysis does not address the issue at hand. Independent claims 11 and 41, and their respective dependent claims, require a precursor material supply vessel fluidly connected to the reaction zone for feed of the precursor material to the reaction zone to generate the gas. None of the references teaches such a supply vessel or arrangement, and the rejection does not address the question of why such an arrangement would be necessarily needed or taught as a feature in the destruction system of the primary Moisan reference. In addition, independent claims 32 and 41, and their respective dependent claims, all require the "reaction chamber adapted to generate said gas under pressure". The rejection relies upon the system of Moisan, as modified by certain features of the secondary references, to reject the claims. However, the rejection has not even addressed this limitation of claims 32 and 41, or how there is teaching or motivation to conduct the process of the Moisan molecular destruction system with a "reaction chamber adapted to generate said gas under pressure".

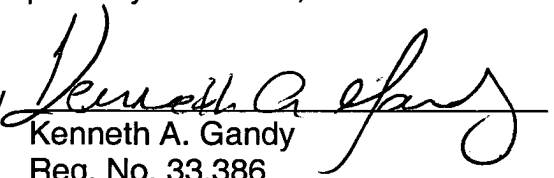
For the foregoing reasons, it is believed that the rejection of claims 11-21, 32-34, and 37-44 is improper and should be withdrawn.

Claims 35 and 36 stand rejected under 35 USC § 103(a) based upon an assertion that they are unpatentable over the above-noted four references and further in view of Ayers. This rejection is also respectfully traversed.

Claims 35 and 36 are each ultimately dependent upon claim 32. Claim 35 adds "a semiconductor fabrication device fluidly coupled to said manifold for delivery of the generated gas to the semiconductor fabrication device". Claim 36 adds "wherein said semiconductor fabrication device is a chemical vapor deposition reactor or and oxidation furnace." It is respectfully submitted that this rejection is not properly supported. The Moisan reference teaches as to the destruction of certain harmful gases such as perfluorinated greenhouse-effect gaseous compounds or volatile organic compounds. See column 1, lines 22-26. The Office Action does not explain whether or why one skilled in the art would be motivated to fluidly couple such a molecular destruction system to semiconductor fabrication devices as claimed. Accordingly, it is believed that this rejection is unsupported and should be withdrawn.

In view of the foregoing amendments and remarks, reconsideration and allowance of this application containing claims 11-21 and 32-44 is requested. It is requested that the Examiner contact the undersigned attorney to arrange for an interview of the case if any further rejection is believed to be maintainable. An opportunity to expedite allowance of claims in that event would be appreciated.

Respectfully submitted,

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